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CHILD ABUSE: AN UNIVERSAL PHENOMENON

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Abstract

Child abuse is a state of emotional, physical, economic and sexual maltreatment meted out to a person below the age of eighteen and is a globally prevalent phenomenon. However, in India, as in many other countries, there has been no understanding of the extent, magnitude and trends of the problem. The growing complexities of life and the dramatic changes brought about by socio-economic transitions in India have played a major role in increasing the vulnerability of children to various and newer forms of abuse. Although child abuse prevail everywhere irrespective of culture and status of a country yet several developed countries in the world have well developed child protection systems, like a mandatory reporting, identification and investigation mechanism of affected children and often taking coercive action to make the system effective and more responsive. The burden high level of reporting and investigation is not only on the family but also on the system. The laws pertaining to child abuse do differ from country to country.

Key Words: Child Abuse, Mandatory Reporting, Identification, Investigation.

Introduction

The Children are future of the nation. Present children are the citizens of tomorrow. So many rosy and lofty words we use for children yet child abuse in general and child sexual abuse in particular is found to be deeply associated with historical values and perspectives. The children have inherent rights as recognized by the society. Each period in history as well as each culture should have treated children as valuable property of the society and proper care should be taken to protect their health i.e. physical, mental, and emotional. The supreme court of India in *Sheila Barse and others V/s Union of India*¹ has declared that "Child is a national asset. So a child required proper care, love affection and nourishment but experience shows, that the children are subjected to abuse in some situations. The child exploitation is a result of ignorance of family and care and affection and lack of love and affection of the parents."²

One of the major problems in understanding the scope of the subject of child abuse is that it is extremely difficult to get responses from children on such a sensitive subject because of their inability to fully understand the different dimensions of child abuse and to talk about their experiences. It is therefore difficult to gather data on abused children. Further, definitions of abuse are not yet consistent within countries, much less from country to country or region to region. Yet governments do estimate that the number of abused and neglected children is alarming, and unless governments get their act together and respond to the situation by way of both prevention and treatment, we will be doing a grave injustice to our children and would be denying them their basic rights.³ The worst part is that such abuse is inflicted upon a child by a person in his immediate circle and a stunning majority of these cases go unnoticed. Also, reasons like shame, plain depravity and family honour contribute towards shunning and covering the cases of child abuse.⁴

The term 'Child Abuse' may have different connotations in different cultural milieu and socio-economic situations. Child abuse has serious physical and psycho-social consequences which adversely affect the health and overall well-being of a child. According to WHO: "Child abuse or maltreatment constitutes all forms of

¹ AIR 1986 SC 1873.

² L. Kacker, S. Varadan, P. Kumar, *The Study on Child Abuse: India 2007*, Ministry of Women and Child Development, Government of India, New Delhi 2007, p.4.

³ A. Kumar, A. Patrak, S. Kumar, P. Rastogi, P. Rastogi, *The Problem of Child Sexual Abuse in India*, *Indian Acad Paediatric Med* 2012, Vol. 34, No. 2, p.2.